

Admin Rec

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DEPARTMENT OF THE ARMY  
NORFOLK DISTRICT, CORPS OF ENGINEERS  
FORT NORFOLK, 803 FRONT STREET  
NORFOLK, VIRGINIA 23510-1096

REPLY TO  
ATTENTION OF:

June 27, 2000

Northern Virginia Regulatory Section  
99-R1153 (York River)

Claudette L. Jenkins, Ph.D.  
Baker Environmental, Inc.  
Airport Office Park, Building 3  
420 Rouser Road  
Coraopolis, Pa. 15108

Dear Dr. Jenkins:

This is concerning the wetland delineation you submitted for our review for the Cheatham Annex Landfill site in Yorktown, Virginia. On March 27, 2000 Nancy Bland of my staff verified the accuracy of the delineation as flagged in the field. This letter will serve as written confirmation of the delineation map and data sheets you submitted April 21, 2000.

Although CERCLA does not require the Navy to obtain a permit from the Corps, it still requires that the substantive requirements of the Clean Water Act be adhered to. In light of the amount of tidal wetlands that will be impacted by the proposed shoreline stabilization mitigation would normally be required as a permit condition, if a permit were being issued. It should, therefore, be noted that although the Corps has no authority to enforce such a requirement under the circumstances, the Navy should mitigate for the impacts in order to meet CERCLA's requirements. This same principle will hold true if additional work needs to be done in connection with stabilizing the landfill in the future.

If you have any questions please call Ms. Bland at (757) 441-7072. Thank you.

Sincerely,

*Nancy Bland*  
for Bruce F. Williams  
Chief, Northern Virginia  
Regulatory Branch

Copy furnished:  
✓ Mr. Robert Schirmer, LANTDIV, Code 18222  
Mr. Steve Hubner, LANTDIV, Code 02031